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MEMO ENDORSED

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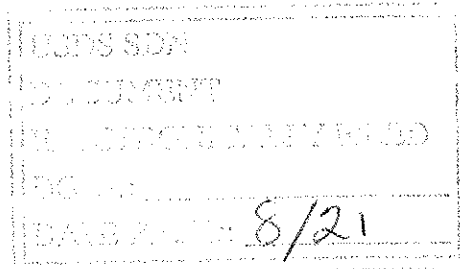
Emma Freudenberger

Vanessa Buch

Aaron Scherzer

Alexandra Lampert

Hon. Nancy Gertner (Ret.)



August 15, 2013

Via Next Day Air

Honorable Kenneth M. Karas
United States District Judge
Southern District of New York
United States Courthouse
300 Quarropas Street, Chambers 533
White Plains, NY 10601

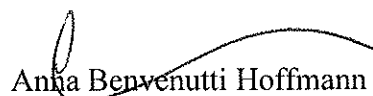
RE: *Deskovic v. City of Peekskill, et al.*, 07-CV-8150(KMK)

Dear Judge Karas:

I write on behalf of Plaintiff Jeffrey Deskovic in response to the August 13, 2013 letter from Joan Gilbride on behalf of New York Municipal Insurance Reciprocal (NYMIR).

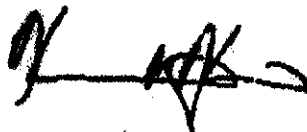
Mr. Deskovic believes that it would be premature for the Court to set a summary judgment briefing schedule in the third-party action brought by NYMIR for two reasons: (1) Despite repeated requests by attorneys for both Mr. Deskovic and Putnam County, Mr. Deskovic does not appear to have received a complete copy of any of the primary policies issued to Putnam County by NYMIR between January 1, 1995, and at least August 1, 2006; (2) Westport is signing a waiver of service and thus its answer to the Third Party Complaint filed by Mr. Deskovic is not due until October 4, 2013. Mr. Deskovic believes that it is an inefficient use of the Court's time and the time of the parties for the NYMIR and Westport parts of this declaratory judgment action to proceed on different schedules. Therefore, Mr. Deskovic respectfully requests that the Court defer setting any summary judgment schedule in this third party action at least until Westport has responded to the Third Party Complaint and NYMIR has provided copies of all insurance policies covering the period from January 1, 1995 to August 1, 2006.

Respectfully submitted,


Anna Benvenuti Hoffmann

cc: All counsel (via email)

The Court will assume the
Parties will exchange
documents in advance
of the October 9th Promotion
Conference. So Ordered.


8/20/13
